

House File 809 - Introduced

HOUSE FILE _____
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 285)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to certain state
2 departments, agencies, funds, and certain other entities,
3 providing for regulatory authority, and other properly related
4 matters, and providing effective and retroactive applicability
5 dates.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 1 DIVISION I
1 2 ADMINISTRATION AND REGULATION APPROPRIATIONS
1 3 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.
1 4 1. There is appropriated from the general fund of the
1 5 state to the department of administrative services for the
1 6 fiscal year beginning July 1, 2009, and ending June 30, 2010,
1 7 the following amounts, or so much thereof as is necessary, to
1 8 be used for the purposes designated:
1 9 a. For salaries, support, maintenance, and miscellaneous
1 10 purposes, and for not more than the following full-time
1 11 equivalent positions:
1 12 \$ 5,349,232
1 13 FTEs 112.28
1 14 b. For the payment of utility costs and for not more than
1 15 the following full-time equivalent positions:
1 16 \$ 3,517,432
1 17 FTEs 1.00
1 18 Notwithstanding section 8.33, any excess funds appropriated
1 19 for utility costs in this lettered paragraph shall not revert
1 20 to the general fund of the state at the end of the fiscal year
1 21 but shall remain available for expenditure for the purposes of
1 22 this lettered paragraph during the succeeding fiscal year.
1 23 It is the intent of the general assembly that the
1 24 department shall reduce utility costs through energy
1 25 conservation practices. The goal of the general assembly is
1 26 to reduce energy use by 10 percent to save money, conserve
1 27 energy resources, and reduce pollution.
1 28 c. It is the intent of the general assembly that the state
1 29 maintain a cost effective, reliable motor vehicle fleet for
1 30 state operations. It is the goal of the general assembly that
1 31 the department shall take all available steps to reduce motor
1 32 vehicle fleet operation and purchasing costs by 7.5 percent.
1 33 It is also the intent of the general assembly that replacement
1 34 motor vehicles purchased by the department shall include only
1 35 those options necessary for the intended purpose of the
2 1 vehicles purchased unless inclusion of the options are part of
2 2 the lowest responsible cost package available for the vehicles
2 3 purchased. In addition, to maximize the cost effectiveness of
2 4 the motor vehicle fleet given the current fiscal environment,
2 5 it is also the intent of the general assembly that the
2 6 department implement a policy, effective July 1, 2009, to
2 7 extend the time that vehicles in the department's motor
2 8 vehicle fleet are retained and used by the state with the
2 9 purpose of reducing the cost of fleet operations for state
2 10 agencies. The policy change shall incorporate an increase in
2 11 the overall length of time that a vehicle is retained in
2 12 addition to an increase in the number of miles that a vehicle
2 13 is driven prior to being replaced. The department shall
2 14 submit a report to the general assembly by January 1, 2010,
2 15 concerning the department's efforts to reduce state motor

2 16 vehicle fleet costs, including data on the extent of savings
2 17 realized.

2 18 2. Members of the general assembly serving as members of
2 19 the deferred compensation advisory board shall be entitled to
2 20 receive per diem and necessary travel and actual expenses
2 21 pursuant to section 2.10, subsection 5, while carrying out
2 22 their official duties as members of the board.

2 23 3. Any funds and premiums collected by the department for
2 24 workers' compensation shall be segregated into a separate
2 25 workers' compensation fund in the state treasury to be used
2 26 for payment of state employees' workers' compensation claims
2 27 and administrative costs. Notwithstanding section 8.33,
2 28 unencumbered or unobligated moneys remaining in this workers'
2 29 compensation fund at the end of the fiscal year shall not
2 30 revert but shall be available for expenditure for purposes of
2 31 the fund for subsequent fiscal years.

2 32 4. For the fiscal year beginning July 1, 2009, and ending
2 33 June 30, 2010, the rate set for a service provided solely by
2 34 the department of administrative services as determined
2 35 pursuant to section 8.6, subsection 16, paragraph "c", shall
3 1 not exceed the rate set for that service as of January 1,
3 2 2009.

3 3 Sec. 2. REVOLVING FUNDS. There is appropriated to the
3 4 department of administrative services for the fiscal year
3 5 beginning July 1, 2009, and ending June 30, 2010, from the
3 6 revolving funds designated in chapter 8A and from internal
3 7 service funds created by the department such amounts as the
3 8 department deems necessary for the operation of the department
3 9 consistent with the requirements of chapter 8A.

3 10 Sec. 3. FUNDING FOR IOWACCESS.

3 11 1. Notwithstanding section 321A.3, subsection 1, for the
3 12 fiscal year beginning July 1, 2009, and ending June 30, 2010,
3 13 the first \$1,000,000 collected and transferred by the
3 14 department of transportation to the treasurer of state with
3 15 respect to the fees for transactions involving the furnishing
3 16 of a certified abstract of a vehicle operating record under
3 17 section 321A.3, subsection 1, shall be transferred to the
3 18 IowAccess revolving fund established by section 8A.224 and
3 19 administered by the department of administrative services for
3 20 the purposes of developing, implementing, maintaining, and
3 21 expanding electronic access to government records as provided
3 22 by law.

3 23 2. All fees collected with respect to transactions
3 24 involving IowAccess shall be deposited in the IowAccess
3 25 revolving fund and shall be used only for the support of
3 26 IowAccess projects.

3 27 Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION

3 28 CHARGE. For the fiscal year beginning July 1, 2009, and
3 29 ending June 30, 2010, the monthly per contract administrative
3 30 charge which may be assessed by the department of
3 31 administrative services shall be \$2 per contract on all health
3 32 insurance plans administered by the department.

3 33 Sec. 5. AUDITOR OF STATE.

3 34 1. There is appropriated from the general fund of the
3 35 state to the office of the auditor of state for the fiscal
4 1 year beginning July 1, 2009, and ending June 30, 2010, the
4 2 following amount, or so much thereof as is necessary, to be
4 3 used for the purposes designated:

4 4 For salaries, support, maintenance, and miscellaneous
4 5 purposes, and for not more than the following full-time
4 6 equivalent positions:

4 7 \$ 905,468
4 8 FTEs 103.00

4 9 The auditor of state may retain additional full-time
4 10 equivalent positions as is reasonable and necessary to perform
4 11 governmental subdivision audits which are reimbursable
4 12 pursuant to section 11.20 or 11.21, to perform audits which
4 13 are requested by and reimbursable from the federal government,
4 14 and to perform work requested by and reimbursable from
4 15 departments or agencies pursuant to section 11.5A or 11.5B.
4 16 The auditor of state shall notify the department of
4 17 management, the legislative fiscal committee, and the
4 18 legislative services agency of the additional full-time
4 19 equivalent positions retained.

4 20 2. As a condition of receiving funding appropriated in
4 21 this section, for the fiscal year beginning July 1, 2009, and
4 22 ending June 30, 2010, the auditor shall comply with all of the
4 23 following requirements:

4 24 a. The rates and fees set by the auditor to conduct audits
4 25 for the fiscal year shall not exceed the rates and fees set
4 26 for conducting audits as of January 1, 2009.

4 27 b. The auditor shall not seek reimbursement from
4 28 departments and agencies specified in section 11.5B in an
4 29 amount that exceeds the total amount reimbursed to the auditor
4 30 by those departments and agencies for the fiscal year
4 31 beginning July 1, 2008.

4 32 c. The auditor shall not seek reimbursement from
4 33 governmental subdivisions for audits which are reimbursable
4 34 pursuant to section 11.20 or 11.21 in an amount that exceeds
4 35 the total amount reimbursed to the auditor by governmental
5 1 subdivisions for the fiscal year beginning July 1, 2008.

5 2 Sec. 6. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
5 3 is appropriated from the general fund of the state to the Iowa
5 4 ethics and campaign disclosure board for the fiscal year
5 5 beginning July 1, 2009, and ending June 30, 2010, the
5 6 following amount, or so much thereof as is necessary, for the
5 7 purposes designated:

5 8 For salaries, support, maintenance, and miscellaneous
5 9 purposes, and for not more than the following full-time
5 10 equivalent positions:

5 11 \$ 523,000
5 12 FTEs 6.00

5 13 Sec. 7. DEPARTMENT OF COMMERCE. There is appropriated
5 14 from the general fund of the state to the department of
5 15 commerce for the fiscal year beginning July 1, 2009, and
5 16 ending June 30, 2010, the following amounts, or so much
5 17 thereof as is necessary, for the purposes designated:

5 18 1. ALCOHOLIC BEVERAGES DIVISION

5 19 For salaries, support, maintenance, and miscellaneous
5 20 purposes, and for not more than the following full-time
5 21 equivalent positions:

5 22 \$ 2,007,160
5 23 FTEs 37.00

5 24 2. BANKING DIVISION

5 25 a. Banking. For salaries, support, maintenance, and
5 26 miscellaneous purposes, and for not more than the following
5 27 full-time equivalent positions:

5 28 \$ 8,063,060
5 29 FTEs 73.00

5 30 b. Professional licensing and regulation. For salaries,
5 31 support, maintenance, and miscellaneous purposes, and for not
5 32 more than the following full-time equivalent positions:

5 33 \$ 900,553
5 34 FTEs 16.00

5 35 3. CREDIT UNION DIVISION

6 1 For salaries, support, maintenance, and miscellaneous
6 2 purposes, and for not more than the following full-time
6 3 equivalent positions:

6 4 \$ 1,608,388
6 5 FTEs 19.00

6 6 4. INSURANCE DIVISION

6 7 a. For salaries, support, maintenance, and miscellaneous
6 8 purposes, and for not more than the following full-time
6 9 equivalent positions:

6 10 \$ 4,711,954
6 11 FTEs 101.00

6 12 b. For the use of the senior health insurance information
6 13 program:

6 14 \$ 52,253

6 15 c. The insurance division may reallocate authorized full-
6 16 time equivalent positions as necessary to respond to
6 17 accreditation recommendations or requirements. The insurance
6 18 division expenditures for examination purposes may exceed the
6 19 projected receipts, refunds, and reimbursements, estimated
6 20 pursuant to section 505.7, subsection 7, including the
6 21 expenditures for retention of additional personnel, if the
6 22 expenditures are fully reimbursable and the division first
6 23 does both of the following:

6 24 (1) Notifies the department of management, the legislative
6 25 services agency, and the legislative fiscal committee of the
6 26 need for the expenditures.

6 27 (2) Files with each of the entities named in subparagraph
6 28 (1) the legislative and regulatory justification for the
6 29 expenditures, along with an estimate of the expenditures.

6 30 d. The insurance division shall allocate \$10,000 from the
6 31 examination receipts for the payment of its fees to the
6 32 national conference of insurance legislators.

6 33 5. UTILITIES DIVISION

6 34 a. For salaries, support, maintenance, and miscellaneous
6 35 purposes, and for not more than the following full-time
7 1 equivalent positions:

7 2 \$ 7,255,940

7 3 FTEs 79.00

7 4 b. The utilities division may expend additional funds,

7 5 including funds for additional personnel, if those additional

7 6 expenditures are actual expenses which exceed the funds

7 7 budgeted for utility regulation and the expenditures are fully

7 8 reimbursable. Before the division expends or encumbers an

7 9 amount in excess of the funds budgeted for regulation, the

7 10 division shall first do both of the following:

7 11 (1) Notify the department of management, the legislative

7 12 services agency, and the legislative fiscal committee of the

7 13 need for the expenditures.

7 14 (2) File with each of the entities named in subparagraph

7 15 (1) the legislative and regulatory justification for the

7 16 expenditures, along with an estimate of the expenditures.

7 17 c. Notwithstanding sections 8.33 and 476.10 or any other

7 18 provision to the contrary, any balance of the appropriation

7 19 made in this subsection for the utilities division or any

7 20 other operational appropriation made for the fiscal year

7 21 beginning July 1, 2009, and ending June 30, 2010, that remains

7 22 unused, unencumbered, or unobligated at the close of the

7 23 fiscal year shall not revert but shall remain available to be

7 24 used for purposes of the energy-efficient building project

7 25 authorized under section 476.10B, or for relocation costs in

7 26 succeeding fiscal years.

7 27 6. CHARGES == TRAVEL

7 28 Each division and the office of consumer advocate shall

7 29 include in its charges assessed or revenues generated an

7 30 amount sufficient to cover the amount stated in its

7 31 appropriation and any state-assessed indirect costs determined

7 32 by the department of administrative services. The director of

7 33 the department of commerce shall review on a quarterly basis

7 34 all out-of-state travel for the previous quarter for officers

7 35 and employees of each division of the department if the travel

8 1 is not already authorized by the executive council.

8 2 Sec. 8. DEPARTMENT OF COMMERCE == PROFESSIONAL LICENSING

8 3 AND REGULATION BUREAU. There is appropriated from the housing

8 4 trust fund of the Iowa finance authority created in section

8 5 16.181, to the bureau of professional licensing and regulation

8 6 of the banking division of the department of commerce for the

8 7 fiscal year beginning July 1, 2009, and ending June 30, 2010,

8 8 the following amount, or so much thereof as is necessary, to

8 9 be used for the purposes designated:

8 10 For salaries, support, maintenance, and miscellaneous

8 11 purposes:

8 12 \$ 62,317

8 13 Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR. There is

8 14 appropriated from the general fund of the state to the offices

8 15 of the governor and the lieutenant governor for the fiscal

8 16 year beginning July 1, 2009, and ending June 30, 2010, the

8 17 following amounts, or so much thereof as is necessary, to be

8 18 used for the purposes designated:

8 19 1. GENERAL OFFICE

8 20 For salaries, support, maintenance, and miscellaneous

8 21 purposes for the general office of the governor and the

8 22 general office of the lieutenant governor, and for not more

8 23 than the following full-time equivalent positions:

8 24 \$ 1,893,857

8 25 FTEs 25.25

8 26 2. TERRACE HILL QUARTERS

8 27 For salaries, support, maintenance, and miscellaneous

8 28 purposes for the governor's quarters at Terrace Hill, and for

8 29 not more than the following full-time equivalent positions:

8 30 \$ 438,101

8 31 FTEs 10.00

8 32 3. ADMINISTRATIVE RULES COORDINATOR

8 33 For salaries, support, maintenance, and miscellaneous

8 34 purposes for the office of administrative rules coordinator,

8 35 and for not more than the following full-time equivalent

9 1 positions:

9 2 \$ 141,297

9 3 FTEs 3.00

9 4 4. NATIONAL GOVERNORS ASSOCIATION

9 5 For payment of Iowa's membership in the national governors

9 6 association:

9 7 \$ 70,783

9 8 5. STATE-FEDERAL RELATIONS

9 9 For salaries, support, maintenance, and miscellaneous

9 10 purposes for the office for state-federal relations, and for

9 11 not more than the following full-time equivalent positions:

9 12 \$ 46,620

9 13 FTEs 1.00

9 14 Sec. 10. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There
9 15 is appropriated from the general fund of the state to the
9 16 governor's office of drug control policy for the fiscal year
9 17 beginning July 1, 2009, and ending June 30, 2010, the
9 18 following amount, or so much thereof as is necessary, to be
9 19 used for the purposes designated:

9 20 For salaries, support, maintenance, and miscellaneous
9 21 purposes, including statewide coordination of the drug abuse
9 22 resistance education (D.A.R.E.) programs or similar programs,
9 23 and for not more than the following full-time equivalent
9 24 positions:

9 25	\$	348,368
9 26	FTEs	8.00

9 27 Sec. 11. DEPARTMENT OF HUMAN RIGHTS. There is
9 28 appropriated from the general fund of the state to the
9 29 department of human rights for the fiscal year beginning July
9 30 1, 2009, and ending June 30, 2010, the following amounts, or
9 31 so much thereof as is necessary, to be used for the purposes
9 32 designated:

9 33 1. CENTRAL ADMINISTRATION DIVISION
9 34 For salaries, support, maintenance, and miscellaneous
9 35 purposes, and for not more than the following full-time
10 1 equivalent positions:

10 2	\$	306,777
10 3	FTEs	7.00

10 4 2. DEAF SERVICES DIVISION
10 5 For salaries, support, maintenance, and miscellaneous
10 6 purposes, and for not more than the following full-time
10 7 equivalent positions:

10 8	\$	378,792
10 9	FTEs	6.00

10 10 3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE
10 11 DIVISION
10 12 For salaries, support, maintenance, and miscellaneous
10 13 purposes, and for not more than the following full-time
10 14 equivalent positions:

10 15	\$	133,430
10 16	FTEs	1.00

10 17 4. PERSONS WITH DISABILITIES DIVISION
10 18 For salaries, support, maintenance, and miscellaneous
10 19 purposes, and for not more than the following full-time
10 20 equivalent positions:

10 21	\$	208,231
10 22	FTEs	3.20

10 23 5. LATINO AFFAIRS DIVISION
10 24 For salaries, support, maintenance, and miscellaneous
10 25 purposes, and for not more than the following full-time
10 26 equivalent positions:

10 27	\$	178,100
10 28	FTEs	3.00

10 29 6. STATUS OF WOMEN DIVISION
10 30 For salaries, support, maintenance, and miscellaneous
10 31 purposes, including the domestic violence and sexual
10 32 assault-related grants, and for not more than the following
10 33 full-time equivalent positions:

10 34	\$	315,883
10 35	FTEs	4.00

11 1 7. STATUS OF AFRICAN-AMERICANS DIVISION
11 2 For salaries, support, maintenance, and miscellaneous
11 3 purposes, and for not more than the following full-time
11 4 equivalent positions:

11 5	\$	166,796
11 6	FTEs	2.00

11 7 8. NATIVE AMERICAN AFFAIRS DIVISION
11 8 For operation costs and travel reimbursement for members of
11 9 the commission on Native American affairs:

11 10	\$	5,352
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11 11 9. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION
11 12 For salaries, support, maintenance, and miscellaneous
11 13 purposes, and for not more than the following full-time
11 14 equivalent positions:

11 15	\$	1,427,472
11 16	FTEs	11.18

11 17 The criminal and juvenile justice planning advisory council
11 18 and the juvenile justice advisory council shall coordinate
11 19 their efforts in carrying out their respective duties relative
11 20 to juvenile justice.

11 21 10. SHARED STAFF
11 22 The divisions of the department of human rights shall
11 23 retain their individual administrators, but shall share staff
11 24 to the greatest extent possible.

11 25 11. DEPARTMENT STUDY == REPORT

11 26 The department of human rights shall conduct a study to
11 27 examine the organization and duties of the department and
11 28 whether reorganizing the structure of the department could
11 29 provide enhanced services to Iowans in a more efficient
11 30 manner. The department shall submit a written report to the
11 31 general assembly by January 1, 2010, concerning the results of
11 32 the study, including its findings and recommendations.

11 33 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
11 34 appropriated from the general fund of the state to the
11 35 department of inspections and appeals for the fiscal year
12 1 beginning July 1, 2009, and ending June 30, 2010, the
12 2 following amounts, or so much thereof as is necessary, for the
12 3 purposes designated:

12 4 1. ADMINISTRATION DIVISION

12 5 For salaries, support, maintenance, and miscellaneous
12 6 purposes, and for not more than the following full-time
12 7 equivalent positions:

12 8 \$ 2,005,011
12 9 FTEs 39.25

12 10 As a condition of receiving funding appropriated in this
12 11 subsection, the department shall maintain the targeted small
12 12 business certification employee position within the division.

12 13 2. ADMINISTRATIVE HEARINGS DIVISION

12 14 For salaries, support, maintenance, and miscellaneous
12 15 purposes, and for not more than the following full-time
12 16 equivalent positions:

12 17 \$ 677,317
12 18 FTEs 24.00

12 19 3. INVESTIGATIONS DIVISION

12 20 For salaries, support, maintenance, and miscellaneous
12 21 purposes, and for not more than the following full-time
12 22 equivalent positions:

12 23 \$ 1,452,962
12 24 FTEs 50.00

12 25 4. HEALTH FACILITIES DIVISION

12 26 For salaries, support, maintenance, and miscellaneous
12 27 purposes, and for not more than the following full-time
12 28 equivalent positions:

12 29 \$ 2,235,383
12 30 FTEs 140.75

12 31 5. EMPLOYMENT APPEAL BOARD

12 32 For salaries, support, maintenance, and miscellaneous
12 33 purposes, and for not more than the following full-time
12 34 equivalent positions:

12 35 \$ 51,465
13 1 FTEs 15.00

13 2 The employment appeal board shall be reimbursed by the
13 3 labor services division of the department of workforce
13 4 development for all costs associated with hearings conducted
13 5 under chapter 91C, related to contractor registration. The
13 6 board may expend, in addition to the amount appropriated under
13 7 this subsection, additional amounts as are directly billable
13 8 to the labor services division under this subsection and to
13 9 retain the additional full-time equivalent positions as needed
13 10 to conduct hearings required pursuant to chapter 91C.

13 11 6. CHILD ADVOCACY BOARD

13 12 For foster care review and the court appointed special
13 13 advocate program, including salaries, support, maintenance,
13 14 and miscellaneous purposes, and for not more than the
13 15 following full-time equivalent positions:

13 16 \$ 2,920,367
13 17 FTEs 45.12

13 18 a. The department of human services, in coordination with
13 19 the child advocacy board and the department of inspections and
13 20 appeals, shall submit an application for funding available
13 21 pursuant to Title IV-E of the federal Social Security Act for
13 22 claims for child advocacy board administrative review costs.

13 23 b. The court appointed special advocate program shall
13 24 investigate and develop opportunities for expanding fund=
13 25 raising for the program.

13 26 c. Administrative costs charged by the department of
13 27 inspections and appeals for items funded under this subsection
13 28 shall not exceed 4 percent of the amount appropriated in this
13 29 subsection.

13 30 d. Notwithstanding any provision of sections 237.18 and
13 31 237.20 to the contrary, the child advocacy board may establish
13 32 up to six pilot projects using alternative policies to guide
13 33 the selection of cases and the procedures used by local
13 34 citizen foster care review boards as they review cases of
13 35 children who received or are receiving foster care or other

14 1 out-of-home placement services while under the supervision of
14 2 the department of human services. Policies to guide the pilot
14 3 project case selection, review time frames and reporting
14 4 formats shall be approved by the department of human services,
14 5 state court administrator, and the chief judge of any judicial
14 6 district in which a pilot project is to be implemented. The
14 7 child advocacy board shall report to the governor and general
14 8 assembly by January 1, 2010, on the progress of any new
14 9 approaches and their impact on efficiencies and case outcomes.

14 10 Sec. 13. RACING AND GAMING COMMISSION.

14 11 1. RACETRACK REGULATION

14 12 There is appropriated from the general fund of the state to
14 13 the racing and gaming commission of the department of
14 14 inspections and appeals for the fiscal year beginning July 1,
14 15 2009, and ending June 30, 2010, the following amount, or so
14 16 much thereof as is necessary, to be used for the purposes
14 17 designated:

14 18 For salaries, support, maintenance, and miscellaneous
14 19 purposes for the regulation of pari-mutuel racetracks, and for
14 20 not more than the following full-time equivalent positions:

14 21 \$ 2,653,308
14 22 FTEs 28.53

14 23 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

14 24 There is appropriated from the general fund of the state to
14 25 the racing and gaming commission of the department of
14 26 inspections and appeals for the fiscal year beginning July 1,
14 27 2009, and ending June 30, 2010, the following amount, or so
14 28 much thereof as is necessary, to be used for the purposes
14 29 designated:

14 30 For salaries, support, maintenance, and miscellaneous
14 31 purposes for administration and enforcement of the excursion
14 32 boat gambling and gambling structure laws, and for not more
14 33 than the following full-time equivalent positions:

14 34 \$ 3,050,753
14 35 FTEs 42.22

15 1 Sec. 14. ROAD USE TAX FUND APPROPRIATION == DEPARTMENT OF
15 2 INSPECTIONS AND APPEALS. There is appropriated from the road
15 3 use tax fund to the administrative hearings division of the
15 4 department of inspections and appeals for the fiscal year
15 5 beginning July 1, 2009, and ending June 30, 2010, the
15 6 following amount, or so much thereof as is necessary, for the
15 7 purposes designated:

15 8 For salaries, support, maintenance, and miscellaneous
15 9 purposes:
15 10 \$ 1,623,897

15 11 Sec. 15. DEPARTMENT OF MANAGEMENT. There is appropriated
15 12 from the general fund of the state to the department of
15 13 management for the fiscal year beginning July 1, 2009, and
15 14 ending June 30, 2010, the following amounts, or so much
15 15 thereof as is necessary, to be used for the purposes
15 16 designated:

15 17 1. For salaries, support, maintenance, and miscellaneous
15 18 purposes, and for not more than the following full-time
15 19 equivalent positions:

15 20 \$ 2,811,511
15 21 FTEs 36.50

15 22 Of the moneys appropriated in this subsection, the
15 23 department shall use a portion for enterprise resource
15 24 planning, providing for a salary model administrator,
15 25 conducting performance audits, and for the department's LEAN
15 26 process.

15 27 2. For establishing a searchable budget and tax rate
15 28 database and website, if enacted by the 2009 Session of the
15 29 Eighty-third General Assembly:

15 30 \$ 5,000

15 31 3. For transfer to the open meetings, public records, and
15 32 privacy advisory committee, if enacted by the 2009 Session of
15 33 the Eighty-third General Assembly, for expenses for meetings
15 34 of the advisory committee:

15 35 \$ 5,500

16 1 Sec. 16. ROAD USE TAX APPROPRIATION. There is
16 2 appropriated from the road use tax fund to the department of
16 3 management for the fiscal year beginning July 1, 2009, and
16 4 ending June 30, 2010, the following amount, or so much thereof
16 5 as is necessary, to be used for the purposes designated:

16 6 For salaries, support, maintenance, and miscellaneous
16 7 purposes:
16 8 \$ 56,000

16 9 Sec. 17. DEPARTMENT OF REVENUE. There is appropriated
16 10 from the general fund of the state to the department of
16 11 revenue for the fiscal year beginning July 1, 2009, and ending

16 12 June 30, 2010, the following amounts, or so much thereof as is
16 13 necessary, to be used for the purposes designated:

16 14 For salaries, support, maintenance, and miscellaneous
16 15 purposes, and for not more than the following full-time
16 16 equivalent positions:

16 17 \$ 22,754,688
16 18 FTEs 400.00

16 19 Of the funds appropriated pursuant to this section,
16 20 \$400,000 shall be used to pay the direct costs of compliance
16 21 related to the collection and distribution of local sales and
16 22 services taxes imposed pursuant to chapters 423B and 423E.

16 23 The director of revenue shall prepare and issue a state
16 24 appraisal manual and the revisions to the state appraisal
16 25 manual as provided in section 421.17, subsection 17, without
16 26 cost to a city or county.

16 27 Sec. 18. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is
16 28 appropriated from the motor fuel tax fund created by section
16 29 452A.77 to the department of revenue for the fiscal year
16 30 beginning July 1, 2009, and ending June 30, 2010, the
16 31 following amount, or so much thereof as is necessary, to be
16 32 used for the purposes designated:

16 33 For salaries, support, maintenance, and miscellaneous
16 34 purposes for administration and enforcement of the provisions
16 35 of chapter 452A and the motor vehicle use tax program:

17 1 \$ 1,305,775

17 2 Sec. 19. SECRETARY OF STATE. There is appropriated from
17 3 the general fund of the state to the office of the secretary
17 4 of state for the fiscal year beginning July 1, 2009, and
17 5 ending June 30, 2010, the following amounts, or so much
17 6 thereof as is necessary, to be used for the purposes
17 7 designated:

17 8 For salaries, support, maintenance, and miscellaneous
17 9 purposes, and for not more than the following full-time
17 10 equivalent positions:

17 11 \$ 3,217,317
17 12 FTEs 44.00

17 13 The state department or state agency which provides data
17 14 processing services to support voter registration file
17 15 maintenance and storage shall provide those services without
17 16 charge.

17 17 Sec. 20. SECRETARY OF STATE FILING FEES REFUND.
17 18 Notwithstanding the obligation to collect fees pursuant to the
17 19 provisions of section 490.122, subsection 1, paragraphs "a"
17 20 and "s", and section 504.113, subsection 1, paragraphs "a",
17 21 "c", "d", "j", "k", "l", and "m", for the fiscal year
17 22 beginning July 1, 2009, and ending June 30, 2010, the
17 23 secretary of state may refund these fees to the filer pursuant
17 24 to rules established by the secretary of state. The decision
17 25 of the secretary of state not to issue a refund under rules
17 26 established by the secretary of state is final and not subject
17 27 to review pursuant to the provisions of the Iowa
17 28 administrative procedure Act, chapter 17A.

17 29 Sec. 21. TREASURER. There is appropriated from the
17 30 general fund of the state to the office of treasurer of state
17 31 for the fiscal year beginning July 1, 2009, and ending June
17 32 30, 2010, the following amount, or so much thereof as is
17 33 necessary, to be used for the purposes designated:

17 34 For salaries, support, maintenance, and miscellaneous
17 35 purposes, and for not more than the following full-time
18 1 equivalent positions:

18 2 \$ 949,210
18 3 FTEs 28.80

18 4 The office of treasurer of state shall supply clerical and
18 5 secretarial support for the executive council.

18 6 Sec. 22. ROAD USE TAX APPROPRIATION. There is
18 7 appropriated from the road use tax fund to the office of
18 8 treasurer of state for the fiscal year beginning July 1, 2009,
18 9 and ending June 30, 2010, the following amount, or so much
18 10 thereof as necessary, to be used for the purposes designated:

18 11 For enterprise resource management costs related to the
18 12 distribution of road use tax funds:

18 13 \$ 93,148

18 14 Sec. 23. IPERS == GENERAL OFFICE. There is appropriated
18 15 from the Iowa public employees' retirement system fund to the
18 16 Iowa public employees' retirement system for the fiscal year
18 17 beginning July 1, 2009, and ending June 30, 2010, the
18 18 following amount, or so much thereof as is necessary, to be
18 19 used for the purposes designated:

18 20 For salaries, support, maintenance, and other operational
18 21 purposes to pay the costs of the Iowa public employees'
18 22 retirement system, and for not more than the following full=

18 23 time equivalent positions:
18 24 \$ 18,001,480
18 25 FTEs 95.13
18 26 Sec. 24. REBUILD IOWA OFFICE. There is appropriated from
18 27 the general fund of the state to the rebuild Iowa office for
18 28 the fiscal year beginning July 1, 2009, and ending June 30,
18 29 2010, the following amount, or so much thereof as is
18 30 necessary, to be used for the purposes designated:
18 31 For salaries, support, maintenance, miscellaneous purposes,
18 32 and for not more than the following full-time equivalent
18 33 positions:
18 34 \$ 198,277
18 35 FTEs 12.00

19 1 It is the intent of the general assembly that,
19 2 pursuant to 2009 Iowa Acts, House File 64, the rebuild
19 3 Iowa office shall be repealed effective June 30, 2011,
19 4 and shall not receive an appropriation from the
19 5 general fund of the state after that date.

19 6 Sec. 25. STATE EMPLOYEE POSITIONS. The director of a
19 7 department or state agency to which appropriations are made
19 8 pursuant to the provisions of this Act shall implement
19 9 cost-saving strategies designed to prevent, to the extent
19 10 possible, permanent layoffs of state employees within that
19 11 department or state agency.

19 12 DIVISION II
19 13 MISCELLANEOUS PROVISIONS

19 14 Sec. 26. Section 8A.454, subsection 4, Code 2009, is
19 15 amended to read as follows:

19 16 4. This section is repealed July 1, ~~2009~~ 2010.

19 17 Sec. 27. 2008 Iowa Acts, chapter 1176, section 5,
19 18 subsection 1, is amended to read as follows:

19 19 1. If any federal funding is received for the same or
19 20 similar purposes authorized in section 47.10, as enacted by
19 21 this Act, of the amount appropriated in this section, \$61,000
19 22 is allocated for matching such federal funding, ~~and an amount~~
~~19 23 equal to the federal funding received shall revert from the~~
~~19 24 amount appropriated to the rebuild Iowa infrastructure fund at~~
~~19 25 the end of the fiscal year.~~

19 26 Sec. 28. EFFECTIVE DATES == RETROACTIVE APPLICABILITY.

19 27 1. The section of this division of this Act amending
19 28 section 8A.454, being deemed of immediate importance, takes
19 29 effect upon enactment.

19 30 2. The section of this division of this Act amending 2008
19 31 Iowa Acts, chapter 1176, section 5, subsection 1, being deemed
19 32 of immediate importance, takes effect upon enactment and is
19 33 retroactively applicable to federal funding received on and
19 34 after April 1, 2008.

19 35 DIVISION III
20 1 GRANTS MANAGEMENT

20 2 Sec. 29. Section 8.7, Code 2009, is amended to read as
20 3 follows:

20 4 8.7 REPORTING OF GIFTS, ~~AND BEQUESTS, AND GRANTS RECEIVED.~~

20 5 All gifts, ~~and bequests, and grants~~ received by a
20 6 department or accepted by the governor on behalf of the state
20 7 shall be reported to the Iowa ethics and campaign disclosure
20 8 board and the government oversight committees. The ethics and
20 9 campaign disclosure board shall, by January 31 of each year,
20 10 submit to the fiscal services division of the legislative
20 11 services agency a written report listing all gifts, ~~and~~
20 12 ~~bequests, and grants~~ received during the previous calendar
20 13 year with a value over one thousand dollars and the purpose
20 14 for each such gift, ~~or bequest, or grant~~. The submission
20 15 shall also include a listing of all gifts, ~~and bequests, and~~
~~20 16 grants~~ received by a department from a person if the
20 17 cumulative value of all gifts, ~~and bequests, and grants~~
20 18 received by the department from the person during the previous
20 19 calendar year exceeds one thousand dollars, and the ethics and
20 20 campaign disclosure board shall include, if available, the
20 21 purpose for each such gift, ~~or bequest, or grant~~. However,
20 22 the reports on gifts, ~~or bequests, or grants~~ filed by the
20 23 state board of regents pursuant to section 8.44 shall be
20 24 deemed sufficient to comply with the requirements of this
20 25 section.

20 26 Sec. 30. Section 8.11, subsection 3, Code 2009, is amended
20 27 by striking the subsection.

20 28 Sec. 31. Section 8A.505, subsection 2, Code 2009, is
20 29 amended by striking the subsection.

20 30 Sec. 32. Section 68B.32, subsection 1, Code 2009, is
20 31 amended to read as follows:

20 32 1. An Iowa ethics and campaign disclosure board is
20 33 established as an independent agency. The board shall

20 34 administer this chapter and set standards for, investigate
20 35 complaints relating to, and monitor the ethics of officials,
21 1 employees, lobbyists, and candidates for office in the
21 2 executive branch of state government. The board shall
21 3 administer and set standards for, investigate complaints
21 4 relating to, and monitor the campaign finance practices of
21 5 candidates for public office. The board shall administer and
21 6 establish standards for, investigate complaints relating to,
21 7 and monitor the reporting of gifts, ~~and~~ bequests, ~~and~~ grants
21 8 under section 8.7. The board shall consist of six members and
21 9 shall be balanced as to political affiliation as provided in
21 10 section 69.16. The members shall be appointed by the
21 11 governor, subject to confirmation by the senate.

21 12 Sec. 33. Section 68B.32A, subsection 5, Code 2009, is
21 13 amended to read as follows:

21 14 5. Receive and file registration and reports from
21 15 lobbyists of the executive branch of state government, client
21 16 disclosure from clients of lobbyists of the executive branch
21 17 of state government, personal financial disclosure information
21 18 from officials and employees in the executive branch of state
21 19 government who are required to file personal financial
21 20 disclosure information under this chapter, and gift, ~~and~~
21 21 bequest, ~~and~~ grant disclosure information pursuant to section
21 22 8.7. The board, upon its own motion, may initiate action and
21 23 conduct a hearing relating to reporting requirements under
21 24 this chapter or section 8.7.

21 25 Sec. 34. Sections 8.9 and 8.10, Code 2009, are repealed.

21 26 DIVISION IV
21 27 TREASURER OF STATE PROVISIONS

21 28 Sec. 35. NEW SECTION. 12.9 EMPLOYEE CLASSIFICATIONS.

21 29 In addition to public employees listed in section 20.4,
21 30 public employees of the treasurer of state who hold positions
21 31 that are classified in the administrative assistant series and
21 32 executive officer series are excluded from chapter 20.

21 33 Sec. 36. Section 556.17, subsections 1 and 2, Code 2009,
21 34 are amended to read as follows:

21 35 1. All abandoned property other than money delivered to
22 1 the treasurer of state under this chapter which remains
22 2 unclaimed one year after the delivery to the treasurer may be
22 3 sold to the highest bidder ~~at public sale in any city in the~~
~~22 4 state in a manner~~ that affords in the treasurer's judgment the
22 5 most favorable market for the property involved. The
22 6 treasurer of state may decline the highest bid and reoffer the
22 7 property for sale if the treasurer considers the price bid
22 8 insufficient. The treasurer need not offer any property for
22 9 sale if, in the treasurer's opinion, the probable cost of sale
22 10 exceeds the value of the property. The treasurer may order
22 11 destruction of the property when the treasurer has determined
22 12 that the probable cost of offering the property for sale
22 13 exceeds the value of the property. If the treasurer
22 14 determines that the property delivered does not have any
22 15 substantial commercial value, the treasurer may destroy or
22 16 otherwise dispose of the property at any time. An action or
22 17 proceeding may not be maintained against the treasurer or any
22 18 officer or against the holder for or on account of an act the
22 19 treasurer made under this section, except for intentional
22 20 misconduct or malfeasance.

22 21 2. a. Any sale held ~~or destruction ordered~~ under this
22 22 section shall be preceded by a single publication of notice of
22 23 the sale ~~or destruction order~~ at least three weeks in advance
22 24 of sale ~~or destruction~~ in an English language newspaper of
22 25 general circulation in the county ~~where the property is to be~~
~~22 26 sold or, for the destruction, in the county from which the~~
22 27 property was received, or in an English language newspaper of
22 28 general circulation in the state.

22 29 b. If the treasurer holds an internet auction or a sale on
22 30 the internet, the treasurer may elect to provide notice of the
22 31 sale or auction on the treasurer's website at least seven days
22 32 in advance of the sale or auction in lieu of providing notice
22 33 as otherwise provided in accordance with paragraph "a".

22 34 EXPLANATION

22 35 Division I of this bill relates to and appropriates moneys
23 1 to various state departments, agencies, and funds for the
23 2 fiscal year beginning July 1, 2009, and ending June 30, 2010.
23 3 The division makes appropriations to state departments and
23 4 agencies including the department of administrative services,
23 5 auditor of state, Iowa ethics and campaign disclosure board,
23 6 department of commerce, offices of governor and lieutenant
23 7 governor, Terrace Hill quarters and drug control policy
23 8 office, department of human rights, department of inspections
23 9 and appeals, department of management, Iowa public employees'

23 10 retirement system, secretary of state, treasurer of state, and
23 11 department of revenue and the rebuild Iowa office. The
23 12 division also appropriates funding for the state's membership
23 13 in the national governors association.
23 14 Division II makes changes to provisions related to the
23 15 appropriations made in the bill.
23 16 Code section 8A.454, concerning the health insurance
23 17 administration fund, is amended to provide that the Code
23 18 section is repealed July 1, 2010, instead of July 1, 2009.
23 19 This provision of the bill takes effect upon enactment.
23 20 2008 Iowa Acts, chapter 1176, concerning appropriations to
23 21 the office of the secretary of state for optical scan voting
23 22 equipment, is amended to provide that if federal funding for
23 23 this or a similar purpose is received, the secretary of state
23 24 is not required to revert an amount to the rebuild Iowa
23 25 infrastructure fund in an amount equal to the federal funding
23 26 received. This provision takes effect upon enactment and is
23 27 retroactively applicable to April 1, 2008.
23 28 Division III of the bill eliminates the grants enterprise
23 29 management office in the department of management and provides
23 30 that grants received by the state shall instead be reported to
23 31 the Iowa ethics and campaign disclosure board.
23 32 Division IV of the bill concerns the treasurer of state.
23 33 New Code section 12.9 provides that employees of the
23 34 treasurer of state who hold positions that are classified in
23 35 the administrative assistant series and executive officer
24 1 series are excluded from the provisions of Code chapter 20
24 2 relative to public sector collective bargaining.
24 3 Code section 556.17 is amended to allow the treasurer to
24 4 sell abandoned property in any manner that affords, in the
24 5 treasurer's judgment, the most favorable market for the
24 6 property involved. The Code section is also amended to
24 7 provide that if the treasurer determines to sell the property
24 8 on the internet by sale or auction, the treasurer may satisfy
24 9 the notice requirements by posting a notice on the treasurer's
24 10 website at least seven days in advance of the sale or auction.
24 11 LSB 1000HV 83
24 12 ec/tm:jp/24